

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Attorney Docket No. **020431.0662**

In re Application of:

**BRIAN M. KENNEDY**

Serial No. **09/510,607**

Filed: **22 FEBRUARY 2000**

For: **MANAGING DATA ASSOCIATED  
WITH AVAILABLE-TO-PROMISE  
(ATP) PRODUCTS**

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Examiner:

**VIVEK D. KOPPIKAR**

Art Unit: **3626**

Confirmation No.: **2320**

**INFORMATION DISCLOSURE STATEMENT TRANSMITTAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir or Madam:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, to assist the Examiner in carrying out the Examiner's duty under MPEP § 707.05 to review the parent and related cases for potentially relevant art, Applicant provides the information set forth below, which includes the last known Examiner and art unit for all known potentially-relevant and related issued and pending cases so that the current Examiner may contact prior Examiners if desired. In addition, Applicant has compiled and provides the following:

1. **Table 1**, which details all potentially-relevant and directly or indirectly related applications (along with all patents issued therefrom) and reexaminations.
2. **Table 2**, which details all references affirmatively cited or relied upon by Examiners in support of a rejection in each application and reexamination identified in Table 1.
3. Multiple Information Disclosure Statements which list all references identified either by the

Examiners or by Applicant in the portfolio set forth in Table 1.

**RELATED APPLICATIONS (AND PATENTS ISSUED THEREFROM)**

For the Examiner's convenience, and to assist the Examiner in complying with requirements of MPEP § 707.05 ("In all continuation and continuation in part applications, the parent applications should be reviewed for pertinent prior art"), Table 1 identifies all applications and patents filed by Applicant and reexaminations filed by third party requestors that may be considered directly or indirectly related to the subject application, along with the Examiner's name and his/her art unit (at the time he/she handled the application) where available:

**TABLE 1**

<b>Application Filing Date</b>	<b>Application Serial. No. or Foreign Publication Number</b>	<b>Type and Relationship</b>	<b>Status or Patent Number</b>	<b>Examiner(s) and Art Unit</b>
06-16-1995	08/491,167	Utility.	6,188,989 (02-13-2001)	George Stevens William Hughet Art Unit 2411 William Hughet Ethan Civan Alexander Kalinowski Art Unit 2761
05-14-1996	CA1996217 6530	Foreign Utility (Canada), Claiming Priority to 08/491,167.		
06-05-1996	GB1996001 1770	Foreign Utility (UK), Claiming Priority to 08/491,167.		
06-10-1996	PCT/US96/ 09963			William Hughet Art Unit 2761
06-10-1996	BR1996000 8946	Foreign Utility (Brazil).		
06-10-1996	ES1996092 1494T	Foreign Utility (Spain), Claiming Priority to 08/491,167.		

06-14-1996	AU1996559 90	Foreign Utility (Australia).	710420	
10-06-1996	96921494.9	Foreign Utility (EPO), Claiming Priority to U.S. 08/491,167 and PCT/US96/09963.	0776509	
02-18-1997	08/802,434	Utility, a CIP of 08/491,167.	6,167,380 (12-26-2000)	William Hughet Frantzy Poinvil Art Unit 2761
12-15-1997	MX199700 10161	Foreign Utility (Mexico), Claiming Priority to PCT/US96/09963 and 08/491,167.		
02-15-2000	09/504,247	Utility, a CON of 08/802,434.	7,085,729 (08-01-2006)	Frantzy Poinvil Art Unit 3628
02-22-2000	09/510,607	Utility, a CON of 08/491,167.	Non-Final Action Mailed.	Alexander Kalinowski Art Unit 2166 Alexander Kalinowski Carolyn Bleck Vivek Koppikar Art Unit 3626 Vivek Koppikar Art Unit 3686
06-01-2007	90/008,680	Reexamination, of 09/504,247.	Notice of Intent to Issue Reexam Certificate Mailed.	Matthew Graham Art Unit 3993
	21381BE/99	Foreign Utility (Italy), Claiming Priority to European Patent No. 0776509.		
	DE1996600 1208T	Foreign Utility (Germany), Claiming Priority to European Patent No. 0776509.		
	ID/EU(NL) P37497NLE P	Foreign Utility (Netherlands), Claiming Priority to European Patent No. 0776509.		
	JP19960175 421	Foreign Utility (Japan).		
	DK1996092	Foreign Utility		

	1494T	(Denmark).		
	AT1996092 1494T	Foreign Utility (Austria).		
		Foreign Utility (Belgium), Claiming Priority to European Patent No. 0776509.		

**REFERENCES RELIED UPON BY PRIOR EXAMINERS  
IN RELATED APPLICATIONS**

Applicant has reviewed the file histories listed in Table 1 in order to identify and compile a listing of any reference that was affirmatively cited or relied upon by an Examiner in making a rejection. Those references are listed in Table 2 below. *Applicant cautions the Examiner that Applicant does not have official, certified copies of the file histories for all of the applications and reexaminations listed in Table 1 and is relying on the documents available on Public and Private PAIR or provided by prior counsel. Accordingly, it is possible that Applicant may not have copies of all substantive office actions, and the Examiner is encouraged to review the related applications and reexaminations for completeness.* Applicant wishes to draw the Examiner's attention to the decisions of the prior Examiners in these cases, including the references applied in rejecting prior-submitted claims.

**TABLE 2**

Reference	Date of Reference	Application(s) Containing Rejection(s)	Examiner(s) Issuing Rejection(s)
EP 425,405 A2 James et al.	05/02/1991	08/491,167	George Stevens William Hughet Alexander Kalinowski
		08/802,434	William Hughet
		09/510,607	Alexander Kalinowski Carolyn Bleck Vivek Koppikar
5,712,985 Lee et al.	1/1998	09/510,607	Alexander Kalinowski Carolyn Bleck

			Vivek Koppikar
Smith, F. et al.; Dun & Bradstreet Software Delivers Sales and Promotion System to Manufacturers Business Wire; s1, p1, Jun. 11, 1990.	6/11/1990	08/491,167	George Stevens William Hughet
		09/510,607	Alexander Kalinowski Carolyn Bleck Vivek Koppikar
Rhodes, D.; The Keys to the Enterprise: Integrated Applications Drive Information Systems to New Horizons; HP Professional, v5, n11, p44(e), Nov. 1991.	11/1991	08/491,167	George Stevens William Hughet Alexander Kalinowski
		09/510,607	Alexander Kalinowski Carolyn Bleck Vivek Koppikar
5,459,656 Fields et al.	10/1995	09/510,607	Vivek Koppikar
EP 0615198 A1 Weigelt	09/14/1994	08/491,167	George Stevens William Hughet Alexander Kalinowski
		08/802,434	William Hughet
Castagna, R. et al. "A Model for Evaluating Manufacturing System Time Performances", Integrated Manufacturing Systems. v 3. n 3, pp 15-21, 1992.	1992	08/802,434	William Hughet
Foxlow, Tim, Knowledge-Based Manufacturing: The Key to Recovery, Logistics 1994 Information Management, v7, n4, pp23-26, 1994.	1994	08/802,434	William Hughet
5,101,352 Rembert	03/31/92	08/491,167	Alexander Kalinowski
David M. McClutheon, et al., "The Customization-Responsiveness Squeeze," Sloan Management Review, vol. 35, No. 2, pp. 89-99.	1994	08/491,167	Alexander Kalinowski
Marilyn K. McClelland, "Using Simulation to Facilitate Analysis of Manufacturing Strategy", Journal of Business Logistics, Vol. 13; No. 1, pp 215-237, 1992.	1992	08/491,167	Alexander Kalinowski
C.J. Cavallaro, Dialog file 621 (Gale Group New Prod. Annou. (R)), No. 1007808, "New Para Research MRP II System Adapts Itself to your Business", PR Newswire, 4 pages, Aug. 13, 1995.	08/13/95	09/510,607	Alexander Kalinowski
"Distribution Resource Planning," Production and Inventory Control Handbook. 2d ed. (1987) by Andre J. Martin (Martin).	1987	90/008,680	Matthew Graham

## **INFORMATION DISCLOSURE STATEMENTS**

Finally, Applicant is, for the Examiner's convenience, electronically providing herewith multiple forms PTO/SB/08a Information Disclosure Statements, to comply with the USPTO's Efile electronic file size limits, listing all references identified either by the Examiners or by Applicant in all of the identified applications of Table 1. Thus, the PTO/SB/08a forms contain references that were previously disclosed in related applications. Applicant respectfully directs the Examiner's attention to these references.

**CONCLUSION:**

Multiple forms PTO/SB/08a Information Disclosure Statements are being filed electronically herewith. **The Director is hereby authorized to charge the \$180.00 Information Disclosure fee, to Deposit Account No. 500777.** Although Applicant believes no additional fees are deemed to be necessary; the undersigned hereby authorizes the Director to charge any additional fees which may be required, or credit any overpayments, to **Deposit Account No. 500777.**

**Please link this application to Customer No. 53184 so that its status may be checked via the PAIR System.**

Respectfully submitted,

19 June 2009  
Date

/Steven J. Laureanti/signed  
Steven J. Laureanti, Registration No. 50,274

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